



DISTRICT OF
OAK  **BAY**

Floor Area Review (FAR) Committee

RS-4 RS-5 Bylaw Recommendations Report

July 2014
Revision 3: April 2015

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INTRODUCTION

The Oak Bay Floor Area Review (FAR) Committee was formed by motion of Council in 2013 to look at zoning bylaw regulations in RS-4 and RS-5 lots. At the outset, the FAR Committee made a decision to take a holistic look at the land use regulations rather than just controversial aspects of the current regulations.

Through the summer and fall months of 2013, the FAR Committee collected information related to zoning bylaw regulations from sources and other jurisdictions in BC and around North America. At the end of this "Data Collection" phase, the FAR Committee hosted two public input sessions on December 11th, 2013. These were well attended by around 75 individuals from both industry and the general public. The feedback from these sessions helped round out the large volume of ideas, suggestions, and concerns collected prior.

In January 2014, the FAR Committee moved on to the "Analysis and Recommendation" phase, in which the various options were considered for merit. A number of tools were developed internally to test and compare different scenarios, with the intent to seek consensus on the final recommendation. It should be noted that the core Committee was frequently joined by other interested members of the community who contributed greatly to the discussions and whose consensus was sought as well. These guests brought valuable additional expertise in urban planning, housing design, and engineering. In May 2014, another two public input sessions were held to present the high-level draft recommendations for comment. The original report was submitted to Council in July 2014. Some minor revisions added for clarification in February 2015. The report was presented to the public in two sessions in March 2015 for additional feedback and comment. The questions and comments from the approx. 100 attendees were reviewed by the Committee in March 2015 and informed the final changes to this document, including the addition of Recommendation 15.

The Committee used the following questions to guide the recommendations: *Do the specifics of the regulations:*

- *Help maintain the legal, conforming status of the vast majority of existing housing stock?*
- *Create equivalent rules for equivalent parcels of land?*
- *Facilitate the preservation of heritage homes?*
- *Provide clear guidelines that minimize "interpretation"?*
- *Minimize possible risk (unintended consequences)?*
- *Encourage excellence in building function, including environmentally-friendly design?*
- *Have a positive effect on neighbours and streetscape?*

With that background, the members of the Oak Bay Floor Area Review Committee submit their report.

Regards,



Kevin Murdoch, Chair

On Behalf of the Oak Bay Floor Area Review Committee (2013-2015)

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BYLAW RECOMMENDATIONS

The recommendations are broken down by bylaw topics, each with a summary of recommendations highlighted in a box, followed by a brief explanation of rationale for specific points.

1. Floor Area Measure

Recommendation: Change from a “Fixed Floor Area” model to a “Floor Area Ratio” model.

- Set floor area ratio at 0.4 to 1.0
- Include accessory buildings in floor area ratio calculation

Background

Change from a “Fixed Floor Area” model to a “Floor Area Ratio” model.

Rationale: A ratio model is (a) inherently equitable for all landowners, (b) provides proportional house sizes by default, (c) clarifies the rules for builders, staff, and Council, (d) reduces the number of variances, and (e) addresses concerns raised about large houses on small lots. The potential issues that can arise in older homes with the more rigid (non-variable) FAR definition is managed through a “sliding scale” basement exemption model plus targeted exemptions for items such as verandahs, decks, etc. The Ratio model was used in Oak Bay until 2007, and is the primary method used throughout North America.

- Set floor area ratio at 0.4 : 1.0

Rationale: 0.4 : 1.0 was the ratio in place for the longest period of Oak Bay’s history and has generally worked well to control massing. Some basements and all accessory buildings were included in the FAR from 1986 to 1993, with a sliding scale of basement exemption based on depth in place from 1993-2007. A more complete history, model comparison, and explanation of rationale can be found in the section [“ADDITIONAL BACKGROUND INFORMATION”](#)

- Include accessory buildings in floor area ratio calculation

Rationale: this is the model used prior to 2007. Including accessory buildings in floor area calculation allows homeowners to prioritize the land use based on need and captures the total land use impact in a single calculation.

Note that between 0% and 100% of qualifying basements, as well as some other floor areas, may be exempted from this calculation. Specific exemptions are detailed throughout the recommendations in this document.

2. **Floor Area Definition:**

Recommendations:

- Floor Area to be measured to outside face of building sheathing (*current*)
- Exclude exterior stairs from building envelope measure (*current*)
- Exclude “low” Decks from Floor Area measure (*new*)

Background

- Floor Area to be measured to outside face of building sheathing (structure behind exterior cladding)
Rationale: (a) aligns with most other jurisdictions, (b) maintains consistency between lot coverage and floor area measures, and (c) allows for insulation renovations of older homes without penalty
- Exclude “low” Decks (*new*) from gross floor area measure
Rationale: See [Section 12: Deck and Balcony Exemptions](#) for more details.

3. **Lot Coverage**

Recommendation: Set total Lot Coverage to 30% (modification of current)

- Include accessory Buildings in Lot Coverage calculation (*modification of current*)
- Limit accessory buildings to a maximum of 7% of lot (*modification of current*)

Background

Set total Lot Coverage for standard RS-4 and RS-5 lots to 30%

Rationale: This is a slight revision of the 1986-2007 25+5% lot coverage and current 25%+5-7% lot coverage allowance

- Include accessory Buildings in Lot Coverage calculation

Rationale: Combining lot coverage encourages a rational prioritization of land use by need, rather than encouraging the maximizing of accessory buildings only because the lot coverage can't be used elsewhere. This also has the effect of encouraging more floor area on the first storey of the primary building rather than pushing massing to the second storey.

Note: the inclusion of decks and patios in gross floor area has changed. See [Section 12: Deck and Balcony Exemptions](#) for details.

4. Lot Coverage Definition

Recommendations:

- Special allowance in setbacks for 100mm of additional cladding (insulation, brick, other) (modification of current)
- Include decks in lot coverage measure (current)

Background

- Special allowance in setbacks for 100mm of additional cladding (insulation, brick, other):
Rationale: (a) maintains alignment of floor area measures with most other jurisdictions, (b) maintains consistency between lot coverage and floor area measures, and (c) allows for retrofit insulation renovations of older homes without impacting floor area or lot coverage calculation.
- Include decks* in lot coverage measure.
Rationale: While low decks are excluded from floor area calculation (see “Decks” section for more details), decks still reduce green space on lots and this definition captures that impact.
**For specific definitions of decks vs. patios and specific exemptions, see [Section 12: Deck and Patio Exemptions](#) for more details.*

5. Height Controls

Recommendations: Keep Building Heights, Roof Heights, and Occupiable Heights the same as the current bylaw, with the following adjustments:

- Definitions of heights will be updated to better clarify regulations, particularly with non-traditional designs
- Building, Roof, and Occupiable Height regulations for “single-storey” designated lot
- General improvement of definitions and inclusion of diagrams for better clarity

Background:

- Definitions of heights will be updated to better clarify regulations with non-traditional designs
Rationale: current definitions work well, but some building designs lack the architectural elements used to define certain heights. Better clarity of language to update will clarify the guidelines.
- Set unique Building Height, Roof Height, and Occupiable Height regulations for “single-storey” designated lots
Rationale: see [Section 14: Single Storey Lot Designation](#)

6. Setbacks

Recommendations: Keep Current Setbacks, with the following modifications:

- Allow Eaves to extend 0.76m (30") into side-yard setbacks
- Modify primary building rear-yard setback to the greater of:
 - 7.62 meters (25') (current regulation), or
 - 25% of lot depth
- Setbacks for Accessory Buildings maintained at current values
- Below-Grade* structures require a side-yard setback of 1.5m (5') (New)*

Background:

- Allow Eaves to extend 0.76m (30") into side-yard setbacks
Rationale: the current 18" limit can create overhangs inadequate for rain protection and limit architectural styling. Eaves larger than 30" may run afoul of building code requirements for building separation.
- Modify primary building rear-yard setback to the greater of:
 - 7.62 meters (current)
 - 25% of lot depth*Rationale: Modifying the rear-yard setback to include a percentage of lot depth prevents extremely long houses from breaking up the continuity of backyard green space from property to property on deep lots. Percentages up to 35 percent are used in other jurisdictions; the choice of 20 percent is a conservative implementation of the rule and may be modified in future after assessing its effectiveness.*
- Setbacks for Accessory Buildings* will be kept as they are.
**Note: Should the OCP change to allow secondary living quarters in accessory buildings, the current accessory building definitions (setbacks, etc.) are not in compliance with building code for occupied buildings, and would have to be rewritten to meet that use.*
- Below-Grade* structures require a side-yard setback of 1.5m (5') (New)*.
Rationale: below-grade patios or stairs occupying the entire side-yard setback can have negative consequences for ground stability of neighbouring properties and for safe passage from front to rear. The exact wording of this change is subject to finalization, to ensure reasonable implementation of stairs on steep property and changes to existing stairwells is not overly restrictive. This rule change would be subject to change under a bylaw variance application process.

**NOTE: "Grade" at all times refers to "Average Natural Grade"*

7. **Atriums**

Recommendations: Atrium space Gross Floor Area measurement defined and changed to:

- Atrium space with ceiling height up to 4.3m (14') counted only once as part of gross floor area
- Atrium space with a ceiling height over 4.3m (14') counted 2x as gross floor area

Background:

Atrium is defined as interior space with elevated ceiling height.

- Atrium space with a ceiling height over 4.3m (14') counted 2x as gross floor area
Rationale: 2-storey atrium space creates massing equivalent to 2x the actual floor area currently counted. These rules reflect the impact of an atrium on external massing. The 4.3m (14') limit is derived from the combined height of first and second storey under a sloped roof where floor area is counted 2x (i.e. 9' ceiling height + 1' joists + 4' under roof). Interior stairs are excluded from this definition.

8. **Interior Stairs**

Recommendations:

- Floor Area of interior stairs are counted once per floor (current)
- The basement floor under stairs with less than 1.2m of height excluded from floor area

Background:

Recommendation: Interior Stair Measurement

- Gross Floor Area for each flight of interior stairs is counted once for purposes of floor area.
Rationale: this codifies the measurement model currently used in practice.

9. Grade Regulations

Recommendations: Generally maintain current grade regulations, with specifics below:

- Use Average Natural Grade (current)
- Use “Smallest Rectangle” measure of primary building excluding decks (modification of current)
- For deck height calculations, the average natural grade will be calculated using the smallest rectangle completely containing the deck (*NEW*)

Background:

- Use Average Natural Grade (current)

Rationale: The use of average natural grade remains the best measure of realistic impact on neighbours. The consideration of “lower or average natural or average final” grade has some good qualities, but could result in odd impacts if a corner of a building were excavated.

- Use “Smallest Rectangle” measure of primary building excluding decks (modification of current)

Rationale: The difference between the “smallest rectangle containing the primary building” and “actual building outline” means of measuring average natural grade is very minor. On almost all Oak Bay lots the actual difference in allowable height between the current and more complicated formulas would be measured in inches or fractions of inches, and was not deemed to be worth changing.

As decks may now be exempted from floor area calculation based on their height, decks have been removed from the “smallest rectangle” calculation of average natural grade and only the primary building is used.

- For deck height calculations, the average natural grade will be calculated using the smallest rectangle completely containing the deck.

Rationale: decks on sloped land can extend well beyond the main building. Decks should not be counted in the calculation for the main building height. Further, “Height above (average natural grade)” for decks should reflect their actual height on sloped land.

10. Garages

Recommendations:

- Garage exemption will be changed from 19m² to 22m²
- The 22m² Garage exemption will only apply where the garage is in line with or behind the front face of the primary building, or where the garage door is turned at a right angle to the street.

Background:

- Garage exemption will be changed from 19m² to 22m²
Rationale: Garage exemptions have been changed many times over the decades in response to changing needs and to encourage specific goals. The restriction of paving to 25% of the front yard, for example, was implemented to restrict wide driveways and hence front-facing double garages. 22m² is considered the current minimum workable standard for a single-car garage.
- The 22m² Garage exemption will only apply where the garage is in line with or behind the front face of the primary building, or where the garage door is turned at a right angle to the street.
Rationale: In the previous bylaw, there was incentive to discourage garages from dominating the front façade of houses, by allowing the lot coverage for accessory buildings to be added to the house if turned at right angles. With the removal of separated accessory building lot coverage, that former incentive is removed. This change re-instates the incentive.
The actual wording will reflect the original bylaw: the exemption is applied where:
 - a) the garage is sited so that the vertical plane of the vehicle entrance makes an angle between 85 degrees and 90 degrees, both inclusive, with a straight line connecting the endpoints of the front lot line; or
 - b) the garage is sited entirely within the area of the lot bounded by the rear lot line, the side lot lines and the front face of the principal building projected in a straight line to both side lot lines;

Note: The exemption being tied to these restrictions reflect a cautious decision to maintain these incentives. While current architectural styles do not typically present garages in front of the house, there was seen to be some value in providing a small incentive to encourage non-dominant garages in front yards.

11. Verandah, doorway, and Porte Cochere Exemptions from Gross Floor Area

Recommendations:

- Exempt verandahs and door landings from gross floor area (new), with the following specifics:
 - Up to three covered door landings are exempted from gross floor area calculation, each landing may have up to 1.86m² (20ft²) excluded from floor area calculations
 - Verandahs may be contiguous or separated and are exempt up to 2.5% of the Lot size to a maximum of 15m² only where the following attributes are in place:
 - The verandah abuts the primary building, and
 - The verandah is in alignment with first floor, and
 - The verandah is facing the street, and
 - The verandah is open to the street except for a railing or guard, and
 - The verandah railing height is no more than 4 cm above the minimum railing height required by building code
 - The verandah is covered by a roof, and
 - The verandah ceiling is less than 3.2m above verandah, and
 - The verandah has no habitable living space above or below
- Porte Cocheres excluded from Floor Area and included in Lot Coverage (current)

Background:

- Exempt verandahs and door overhangs.

Rationale: Current regulations include verandahs in the floor area calculations, and since adding a verandah takes away from allowed interior living space, few owners choose to build verandahs on new buildings. Furthermore, many original verandahs have been enclosed on older buildings over the years. Verandahs are seen to have a positive community benefit, in that they present a welcoming "face" to the street and tie inside living space to the broader community. For this reason, the recommendation is to allow some relief from floor area calculations for verandahs and door openings. The many specifics of the regulation are intended to prevent negative consequences through misinterpretation.

12. Deck and Balcony Exemptions

Recommendations: Remove some decks from gross floor area calculations (new), per the following:

- Decks higher than 1.2m (approximately 4 feet) above average natural grade are counted towards both gross floor area and lot coverage
- Decks equal to or lower than 1.2m (approximately 4 feet) above average natural grade are exempt from gross floor area calculations, but are counted in lot coverage
- Patio space is exempt from floor area and lot coverage calculations, where such patio is comprised of landscaping material and where the highest point is less than .6m (approximately 2 feet) from average natural grade.
- Decks must meet setback requirements
- Balconies are considered equivalent to decks for purposes of floor area calculation
- "Average Natural Grade" for decks and patios to be calculated separately, specifically for the area used by the deck (new, see [Section 9: Grade Regulations](#)).

Background:

Remove "low" decks from floor area calculations, but continue to include in lot coverage. "High" decks continue to be counted in floor area.

Rationale: Oak Bay regulations currently include decks in floor area calculations, which very few jurisdictions do. The "Community Benefit" of decks and balconies is seen in encouraging the use of outdoor space, however high decks can impinge on the enjoyment and privacy of neighbours, and take up space that would otherwise be green space. The approach recommended here is a cautious exclusion of decks which incents lower decks.

- Balconies are considered equivalent to decks for regulations

Rationale: This has the effect of maintaining current regulation where most first-storey and all second-storey balconies are included in floor area and lot coverage calculations

- Patio space is exempt from floor area and lot coverage calculations, where such patio is comprised of landscaping material and where the highest point is less than .6m (approximately 2 feet) from average natural grade.

Rationale: this clarifies the current regulations by better defining "patio"

- For further clarification and diagrams, see the following section "ADDITIONAL BACKGROUND INFORMATION"

13. **Basement Exemptions**

Recommendations:

Basements will be exempted from the calculation of gross floor area on a sliding scale depending on the height of the first floor above average natural grade.

- For New Homes (1986 and later):
 - 100% exclude basement if first storey floor height is less than 1.22m (4') above average natural grade
 - Sliding scale of exemption up to 1.52m (5') above average natural grade
 - Exemption limited to lesser of actual basement square footage or 25% of lot area
- For Older Homes (1985 and earlier):
 - 100% exclude basement if first storey floor height is less than 1.22m (4') above average natural grade
 - Sliding scale of exemption up to 2.22m (7' 3") above average natural grade.
 - Exemption limited to lesser of actual basement square footage or 25% of lot area

Background:

Basements will be exempted from the calculation of floor area on a sliding scale depending on the height of the first floor above average natural grade. There are two different measures, depending on the age of the home. 1986 is the cut-off age for new homes

Rationale: 1986 marked the implementation of floor area limits and the modern building code, and makes a logical divide

When house size limits were initiated in Oak Bay in 1986, basements were included in the total floor area. In the 1990's, basements became either 100% or 0% exempted based on their depth. This model had negative impacts on older homes, many of which have shallow but short basements and reasonable changes could not be accommodated under the bylaws. Change to a sliding scale exemption, combined with the allowable living height reduction from 7' to 6'7," allowed many older basements became both usable and largely exempt from the floor area calculations. Some large old homes on small lots, however, still presented problems, and the inability to address some homes was a driving factor towards the "Fixed Floor Area" model, which allows floor area to be varied under the BC Local Government Act.

With a recommendation to return to the Floor Area Ratio model, the issue of large older homes on small lots requires detailed consideration. The bylaw as drafted is intended to address 95-98% of older home needs. For severe outliers, which would be houses considerably larger than would be allowed if built new, it should be noted that exemptions can still be made to floor area for older homes either under a Heritage Revitalization Agreement or rezoning process, which allows for any changes under a Council-based process, and can be tied more specifically to verified heritage value.

Basement Exemption Formulas:

A percentage of the basement floor area may be exempted from calculation of Gross Floor Area allowance according to the following formulas:

1986 and later:

- 100% of basement floor area is exempted from Gross Floor Area calculations if first storey floor height is less than 1.22m (4') above average grade, limited to lesser of actual basement square footage or 25% of lot area
- 100% of basement floor area is included in Gross Floor Area calculations if first storey floor height is greater than 1.52m above average natural grade.
- Sliding scale exemption between 100% and 0% based on a first floor height between 1.22 and 1.52m (approx. 5') above average grade, according to the following formula:

$(H_{max} - H_{actual}) / (H_{max} - H_{min})$, where the total is constrained to a non-negative number less than or equal to 1.

Where H_{max} = 1.52m (height of first floor above average natural grade where 100% of basement floor area is included in Gross Floor Area calculations, in meters)

Where H_{actual} = Height of first floor above average natural grade, in meters

Where H_{min} = 1.22 m (height of first floor above average natural grade where basement begins to be included in floor area calculations, in meters)

1985 and earlier:

- 100% of basement floor area is exempted from Gross Floor Area calculations if first storey floor height is less than 1.22m (4') above average grade, limited to lesser of actual basement square footage or 25% of lot area
- 100% of basement floor area is included in Gross Floor Area calculations if first storey floor height is greater than 2.22m above average natural grade.
- Sliding scale exemption between 100% and 0% based on a first floor height between 1.22 and 2.22m (approx. 7' 4") above average grade, according to the following formula:

$(H_{max} - H_{actual}) / (H_{max} - H_{min})$, where the total is constrained to a non-negative number less than or equal to 1.

Where H_{max} = 2.22m (height of first floor above average natural grade where 100% of basement floor area is included in Gross Floor Area calculations, in meters)

Where H_{actual} = Height of first floor above average natural grade, in meters

Where H_{min} = 1.22 m (height of first floor above average natural grade where basement begins to be included in floor area calculations, in meters)

14. Single Storey Lot Designation

Recommendation: Create a new “Single Storey” lot definition within the RS-4 and RS-5 zoning.

- “Single Storey” houses would qualify for larger combined lot coverage of 35%
- Would be limited to a maximum of one storey
- Have unique height definitions
- Exempt Basements are permitted

Background

Rationale: There is a demand for single-storey living but 30% lot coverage restricts a single-storey home on a standard 6,000 sq. ft. lot to just 1800 sq. ft including all outbuildings. A larger footprint of 35% allows for a 2100 sq. ft. home, which allows for two bedrooms plus living space and makes single-storey design more viable. As a “community amenity” for the larger coverage, a house so designated would be restricted to a single storey, increasing natural light and privacy for neighbouring lots.

To qualify for increased lot coverage, a home must meet the following guidelines:

- Maximum lot coverage: 35%
- Maximum Occupiable Height (floor height) restricted to 0.61m (2’) on all lots
- Maximum Building Height (exterior wall height) and roof heights restricted according to the following table:

Lot Width	Building Height	Roof Height
15m-18.3m (50’-60’):	3.96m (13’)	5.79m (19’)
18.3m-21.34m (60’-70’):	4.12m (13’ 6”)	5.94m (19’ 6”)
21.34m (70’) or larger :	4.27m (14’)	6.10m (20’)

15. Character Home Attic Development

Recommendation: Allow development of attic space in character homes by developing a policy to allow the exemption of attic space from floor area calculations

- Policy would apply to homes built prior to 1945 which retain their original roofline
- Policy would restrict the use of dormers to prevent “overlook” of neighbouring properties
- Any changes to roof such as dormers would be reviewed by the Advisory Design Panel

Background

“Character Home” attic development policy

Rationale: The retention of older homes has a positive impact on streetscape, and many houses built before the end of WWII have uniquely high rooflines capable of containing living space. To encourage the retention of these older homes, a policy is recommended allowing for the development of attic space without impacting the floor area allowance. The request for this recommendation came from the Heritage Commission, who felt that some further incentive to retain older homes, even where they may not be of unique heritage value, was helpful in retaining the older housing stock.

By allowing for families to expand into the small but useful square footage found in the attic space, it is hoped that these older homes and their unique streetscape contribution will be retained.

If moved forward, some additional legal consultation would be required on whether to adopt this as a policy or as an integral part of the bylaw.

ADDITIONAL BACKGROUND INFORMATION

1. Floor Area Background:

Prior to 2007, Oak Bay, like most other communities in North America, used “Floor Area Ratios” to limit house sizes. This meant that the maximum buildable area of a house on any lot was directly proportional to lot size: the smaller the lot, the smaller the house size allowed. In 2007 Oak Bay went to a “Fixed Floor Area” model for lots in RS-4 and RS-5 zones (which make up the large majority of lots in the municipality.) This meant that for a specific zone, any lot above a certain size could have one fixed amount of floor space and any lot below that size could have another, smaller fixed amount of floor space.

Some of the drivers of this new system were to provide size flexibility in older homes (Council is not permitted by provincial law to give variances on Floor Area Ratios, but is permitted to give variances on Fixed Floor Areas), and to limit the size of houses that could be built without design review. Under the previous Floor Area Ratio system, the owner of a large lot could build a large house without Council having any say in the design. Under the Fixed floor area system, an owner who wants a larger house than the Fixed Floor Area has to apply to Council for a Development Variance.

The Fixed Floor Area system has now been in place for almost 7 years and public feedback has suggested the changes have solved some problems such as reducing the number of larger houses built without design review, but has created other problems such as increasing floor area and building mass on smaller lots without design review.

Current (2007) Zoning: uses a “Fixed Floor Area” model and has floor area limited to:

RS-4:

On Lots < 1,100m²: house size = max 420m² total, with max 300m² > 0.8m above average natural grade

On Lots > 1,100m²: house size = max 480m² total, with max 360m² > 0.8m above average natural grade

Accessory Buildings: 2 units, max size=GREATER OF: (lower of 44m² or 7% lot coverage) AND 5% lot area

Accessory Structures (non-roofed): 2 units, max, size= 5% of lot area

RS-5:

On Lots < 750m²: house size = max 360m² total, with max 240m² > 0.8m above average natural grade

On Lots > 750m²: house size = max 420m² total, with max 300m² > 0.8m above average natural grade

Accessory Buildings: 2 units, size=GREATER OF: (lower of 44m² or 7% lot coverage) AND 5% lot area

Accessory Structures (non-roofed): 2 units max, size= 5% of lot area

Accessory buildings Zoning: An Accessory Building is currently defined as “a building of secondary use; the uses of such buildings are limited to that of a garage, carport, toolshed, greenhouse, gazebo or enclosed swimming pool.” (Bylaw 3864)

The inclusion or exclusion of out-buildings can have an impact on the massing of buildings and lot coverage. The current bylaw allows for accessory building to have square footage and lot coverage over and above the allowable lot coverage and floor area of the primary building, but the two amounts cannot be combined.

A comparison of allowable floor area between the 2007 regulations and the 40% Floor Area Ratio which preceded it can be seen in the following graphs:

Diagram 1: RS-5 House Size Comparison: current Fixed-Floor-Area vs. Previous Floor-Area-Ratio.

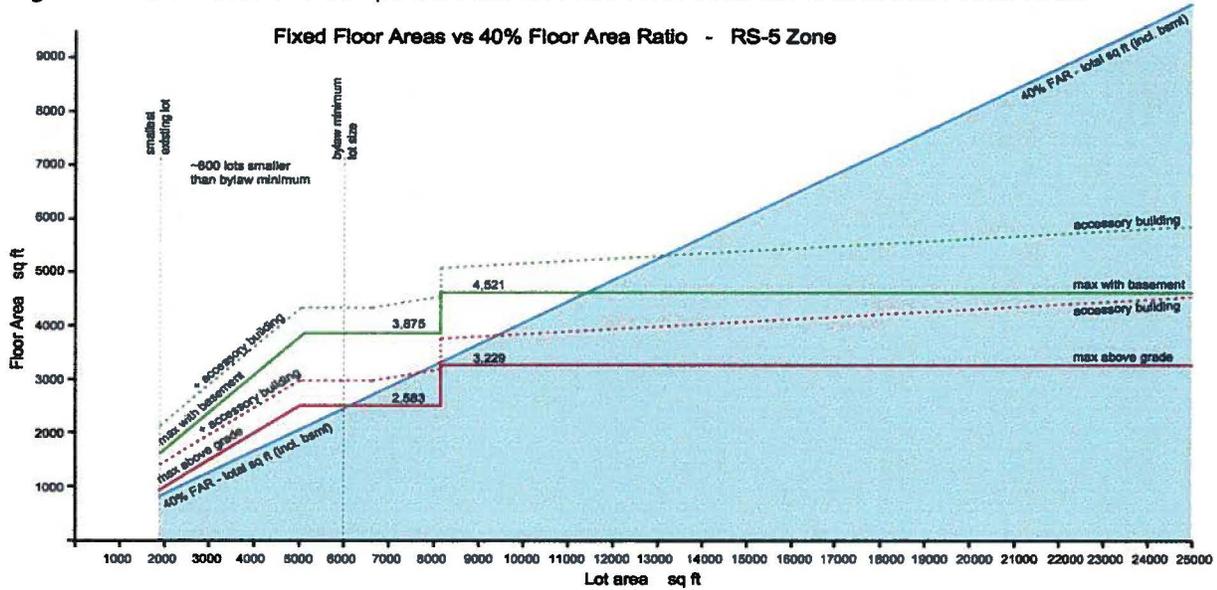
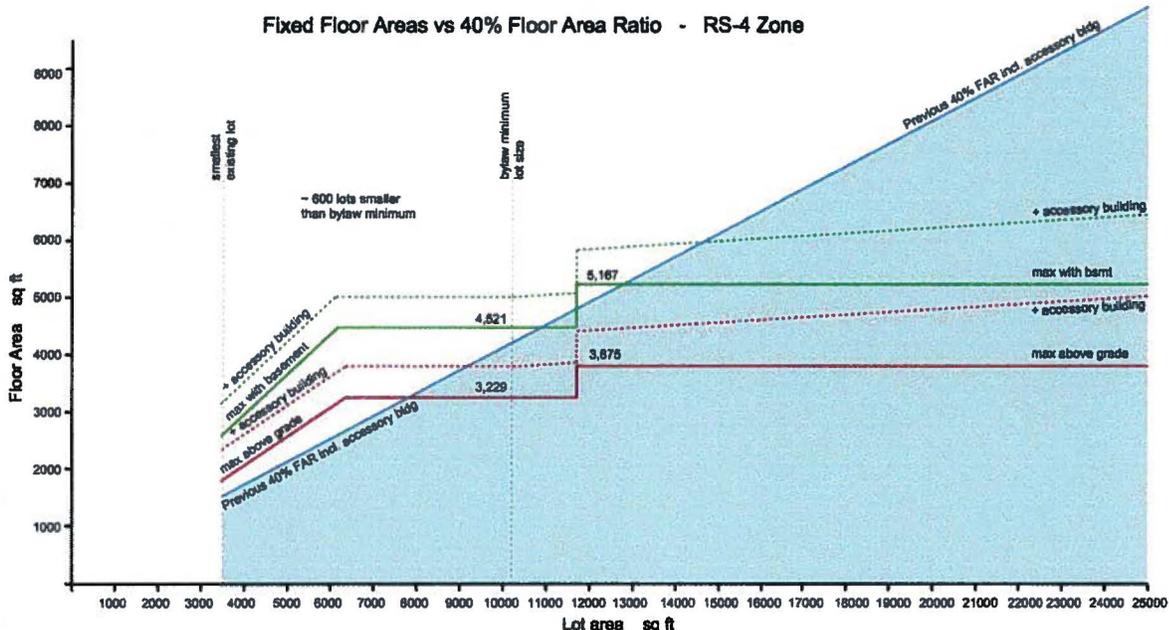


Diagram 2: RS-4 House Size Comparison: current Fixed-Floor-Area vs. Previous Floor-Area-Ratio.



Lot Coverage is currently defined as: “the area covered by all parts of a building or structure, including balconies, bay windows and sundecks; but excluding belt courses, sills, cornices, eaves, gutters and fire escapes.” (Bylaw 4335).

Floor Area is currently defined as “the area of all portions of a building serving an occupancy that have a clear height above the floor of more than 1.2 m (3.9 ft).” (Bylaw 3561)

2. Massing Factors

The term “massing” means the visible bulk of the primary and secondary buildings. “Massing factors” are the elements in the bylaw that control the size and location of buildings. Setbacks of buildings and height of building elements can impact both massing and design.

Setbacks:

Setbacks are the measures used to ensure adequate space between the buildings on the site and the neighbouring properties, buildings, and street.

3. Definitions

Zoning bylaws are written in words that people generally know like “floor area” and “basement”. But these words often have meanings that are different than people expect. “Floor area”, for example, can include areas that don’t have floors such as walls and roof overhangs. There are good reasons for these differences but the reasons aren’t always intuitively clear. To ensure everyone can understand the bylaws the same way, every

zoning bylaw defines the key terms in a very specific way, and those definitions are often different from municipality to municipality.

Terms benefit from being clearly defined and the definitions should benefit the community. Definitions should clearly reflect the intent of the bylaw regulations. Some background on terminology is outlined in this section:

Accessory Buildings

The Current bylaws defines an Accessory Buildings as “a building of secondary use; the uses of such buildings are limited to that of a garage, carport, toolshed, greenhouse, gazebo or enclosed swimming pool.”

Atrium Measurement:

Atrium spaces are considered interior spaces with raised or vaulted ceilings. Oak Bay currently counts all atrium space, regardless of height, only once as floor area, even when those areas are double height and add double the apparent mass to the building.

Deck, Patio, Verandah, Balcony, Rooftop Decks:

The general terms used here are:

Patio: At-grade outdoor living area

Deck: Above-Grade (raised) outdoor living area

Balcony: Outdoor living area enclosed by a wall or balustrade on the outside of a building, with access from an upper-floor window or door.

Verandah: First-floor covered attached outdoor living area

Rooftop Deck: Outdoor living area on roof of building

Grade Definition

All Building heights are measured from “grade” – but grade can be defined in a number of ways, most commonly as either finished or natural grade, or some calculation between those two. Oak Bay has historically measured from average natural grade (i.e. the average grade of the land prior to landscaping). The area used for the calculation can also vary, from “the smallest rectangle that encompasses the whole building” to the specific height of each facet of the building itself.

Interior Stair Measurement

As an internal staircase between floors uses floor area from both stories, the amount of floor area can be measured in a number of ways. Some jurisdictions measure the floor area for both stories, Oak Bay currently measures a staircase just once per flight.

4. Exemptions

For simplicity, “floor area” is defined as everything within the defined living space of a building. But in reality that’s not a complete definition because it may include things that aren’t really floor area, like bay windows, front steps and many other things which are not useful to include in floor area. To deal with this, zoning bylaws generally include a list of items which do not have to be counted as floor space, and these are called “exemptions.”

Exemptions are intended to “fine tune” the land use bylaw. By exempting items from inclusion in the gross floor area or lot coverage, more massing is added to the building(s), so a fine balance must be met between the benefits and “cost” of the cumulative effect of the exemptions. Also note that exempting items from gross floor area but not lot coverage has the effect of “squeezing” the building higher by having the same mass in a smaller footprint.

Deck exemptions

Oak Bay regulations currently include decks in floor area and lot coverage calculations, which very few jurisdictions do.

Diagram:



Exterior Finishes

Standard exterior finishes (i.e. stucco, shingles, etc.) have traditionally been excluded from floor area, lot coverage, and setback calculations in Oak Bay. Thicker finishes have counted against lot coverage and setbacks. The definitions in the current bylaw do not provide great clarity with regard to the finishes, thicknesses, and their calculation.

Basement Exemptions

When house size limits were initiated in Oak Bay in 1986, basements were included in the total gross floor area allowed (initially 50% then quickly reduced to 40%). When basement exemptions were introduced in the 1990's, they were exempted based on how deep the basement floor was put into the ground. Initially,

basements deeper than 1m were exempted and those shallower than 1m were 100% included in gross floor area calculations. All these models had negative impacts on older homes, many of which have shallow but short basements; reasonable changes could not be accommodated under the bylaws. The exempted depth was later changed to 0.8m, and a sliding scale used to exempt up to 50% of the basement based on depth into the ground. Combined with the allowable living height reduction from 7' to 6'7," many older basements became both usable and largely exempt from the floor area calculations. Some large old homes on small lots, however, still presented problems, and this inability to address some issues was a driving factor towards the "Fixed Floor Area" model with allows floor area to be varied under the BC Local Government Act.

Exemption of Basements from floor area can be considered either universally (new and old buildings) or separately.

With a recommendation to return to the Floor Area Ratio model, the issue of large older homes on small lots requires a great deal of detailed consideration. It should be noted that exemptions can still be made to gross floor area for older homes under a Heritage Revitalization Agreement or rezoning which allows for any changes under a Council-based process, and can be tied more specifically to verified heritage value.

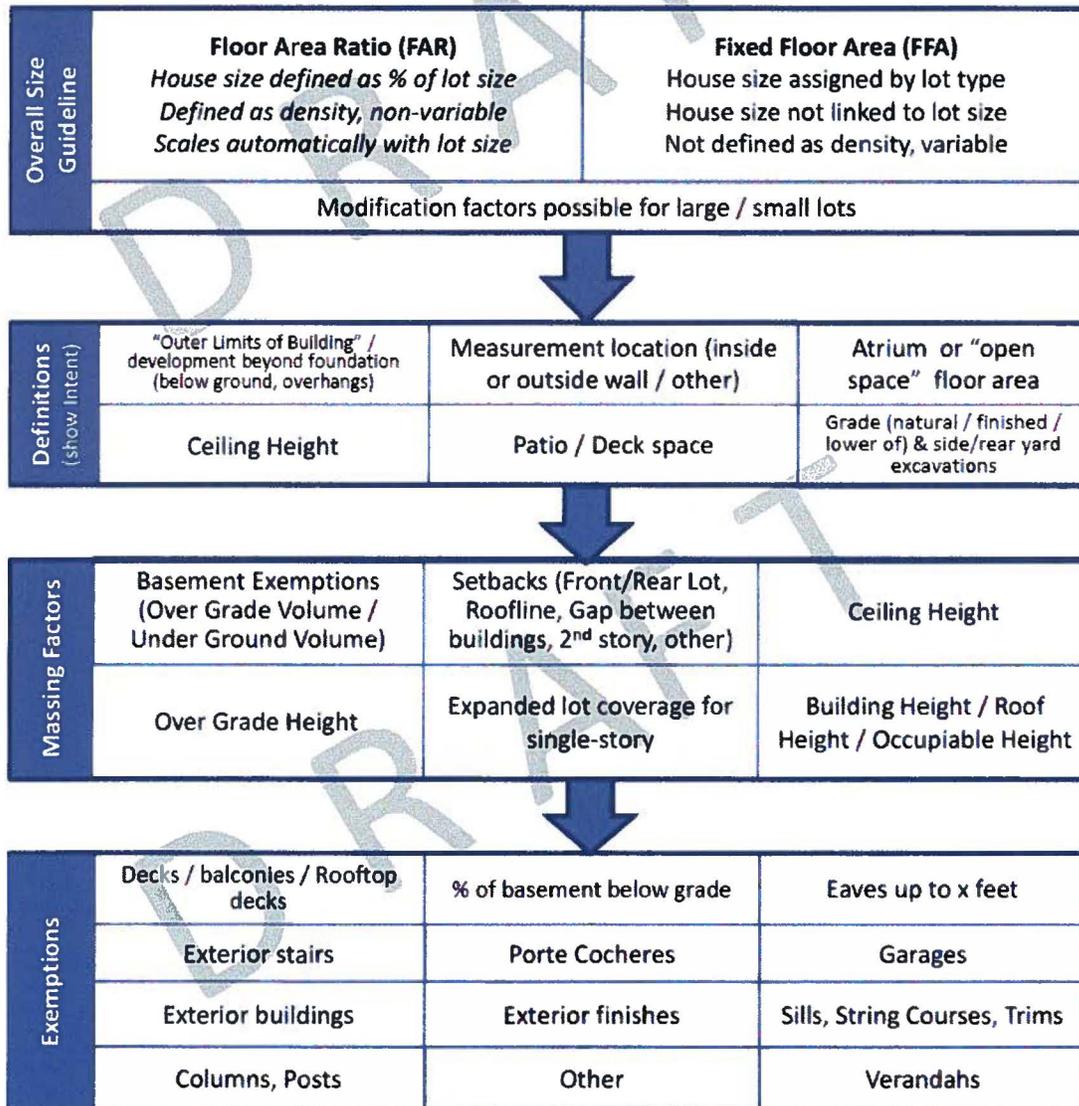
5. Bylaw Planning Flowchart

The following flowchart was used to define the elements necessary for a complete zoning bylaw.

FAR Committee Draft Bylaw Planning Flowchart

Version 1.2 - December 11, 2013

To minimise unforeseen impacts of bylaw changes, the drafting of land use regulations must consider all aspects of the bylaws. The draft flowchart below illustrates the areas of consideration by the Floor Area Review Committee. The Public Input Sessions on December 11th will capture related to these subjects. Some details and background on each section are included in the following pages.



6. Options Considered / Pros and Cons

1. Floor Area Ratio

Used in Oak Bay until 2007 and the most common form of massing control, this was dropped in 2007 bylaw revisions.

POSITIVES	<ul style="list-style-type: none"> • Very clear and well understood rules • Reduces Variance requests • In alignment with broader region • “Fairer” – equal rules for all • Non-Variable reduces staff time, politicization of process, and pitting neighbour against neighbour 	CAUTIONS	<ul style="list-style-type: none"> • Non-variable rule could lead to reasonable needs being unreasonably refused • Bylaws must ensure that exemptions be kept to a minimum • Steep slope average grade hard to have “basement” qualify (older homes specifically) • Concerns over older homes being torn down due to inflexible rules • May lead to “variance by rezoning” seen in other jurisdictions • Caution required to prevent widespread “legal non-conforming” existing houses
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2. Fixed Floor Area

POSITIVES	<ul style="list-style-type: none"> • Variances allow for case-by-case interpretation • Variance process allows neighbours to provide input on design and impact • Small reasonable variances to gross floor area can be allowed, even if over limits 	CAUTIONS	<ul style="list-style-type: none"> • Small and large lots can have “unfair” home sizes (too small/too large) • Inject political process into house sizes • Inconsistency in rules • Can encourage square homes on small lots • Use of “multi-stepped” zones for various lot sizes not feasible • Can put neighbours in awkward position with good or bad neighbor
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Individual Options / Exemptions to above approaches:

3. Basement depth:

At what depth should basements stop being counted in floor area (currently 0.8m) for purposes of massing?

POSITIVES	<ul style="list-style-type: none"> • Building deeper has minimal impact on streetscapes / massing • Clearly recognize difference between “under ground volume” and “over grade volume” 	CAUTIONS	<ul style="list-style-type: none"> • First (main) Floor / occupiable / roof height the key impact on neighbours • Very large basements add numerous sub-grade items such as patios, window wells, stairs, etc. • Requires careful definition of basement “ceiling height” • If % volume model, deeper basement gains more credit for same above-grade volume • Grade definition important (i.e. finished/natural/lower of)
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Age Based Bylaw:

An age-based bylaw would provide different rules for older homes. Depending on the approach taken, age-based exemptions may be required to preserve older housing stock that does not comply with the new rules. May be based on pre- and post-1993 building dates (when the 0.4 ratio w/ basement exclusion was implemented). General consensus was the *preferred approach* is to address heritage needs within the main bylaw, but this would be a viable option *if necessary*.

POSITIVES	<ul style="list-style-type: none"> • Can facilitate the unique needs of older buildings and preserve heritage • Allows for exemptions of low-ceilinged basements • Allows bylaw to “look forward” and not have to accommodate older buildings • “bonus” model for keeping older homes 	CAUTIONS	<ul style="list-style-type: none"> • Creates a two-tier rule • Current houses still require a bylaw revision • Two bylaws must be created and administered • Should massing be different for different aged houses? • Massive remodeling of older homes could still qualify for bonus, not heritage goal
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4a. First-floor height (“Above Ground Formula”)

Used only for older homes to recognize unique issues with low basements, this was #2 option behind “fixed floor area” in 2007 review. Adds a formula for first-floor height to encourage lower houses.

POSITIVES	<ul style="list-style-type: none"> • Older homes only – recognizes unique needs of older homes • Keeping first floor closer to ground level reduces impact on streetscape/neighbours • Rewards efforts to keep massing below grade • Keeps “Floor Area Ratio” intact for clarity of rules • Automatically provides additional floor area for low-ceilinged basements • Encourages set-back top storey 	CAUTIONS	<ul style="list-style-type: none"> • Complicated formula (for home owners, not professionals) • Requires very accurate “average grade” calculation, as so much is based on this • Uniqueness of rule may result in unanticipated consequences • Encouraging deep/large basements increases demand for sub-grade development (patios, window wells, stairwells, etc.) • Calculations on steep slopes may cause issues
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4. Grade Calculation: Natural Grade vs. Finished Grade

POSITIVES	<ul style="list-style-type: none"> • Natural grade prevents manipulation of grade • Finished Grade is reflective of real-world massing 	CAUTIONS	<ul style="list-style-type: none"> • Natural Grade may not reflect the finished reality of the lot • Finished grade can be manipulated upwards to gain exemption • Finished grade from corners only allows deep yard excavations between without penalty. • Significant slope, rock outcroppings, and other unusual features need to be considered
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Notes:			
<ul style="list-style-type: none"> • Current “grade” calculations use the smallest rectangle that can encompass the whole building, but this can be changed to the actual grade of the building footprint (more accurate) • Consideration for “Lesser of” clause (i.e. lesser of the natural or finished grade) • Grade measurements used for exemptions on steeply sloping lots can cause unwanted results. 			

5. Accessory Buildings (exempted 2007)

POSITIVES	<ul style="list-style-type: none"> Allows additional buildings without penalizing homeowner for Sq footage Flexibility of land use Recognizes need for yard storage, play areas, separate garages, etc. Garage space encourages off-street parking, safer biking, better views 	CAUTIONS	<ul style="list-style-type: none"> Increases lot coverage from 25% to 32%, reducing drainage and green space Adds to massing Location near property line (2 foot setback) impacts neighbours Change to internal garages may lead to large street-facing garages
<p>Notes:</p> <ul style="list-style-type: none"> Consider percentage of lot for external buildings (i.e. % to a m² maximum) Combine garage/building exemptions (currently garage exemption is 205 ft²) Consider eliminating exemption – change from 25% + 5% to 30% total Consider setback implications Consider “underground” garage bonus 			

6a. Garage Exemptions

In many cases internal garage floor area is exempt from the floor-area calculation. Addition exemption is granted for garages with entrances away from street side. External garages are measured under “Accessory Building” 5% additional lot coverage.

POSITIVES	<ul style="list-style-type: none"> Recognizes off-street parking benefit of garages Side-access benefit improves streetscapes with windows, not garage doors 	CAUTIONS	<ul style="list-style-type: none"> Garages still add to massing Only single-car garage space recognized, small by modern standards
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6. Front Verandah Exemptions

POSITIVES	<ul style="list-style-type: none"> Encourage friendly streetscape Helps older homes to retain existing verandahs May encourage “de-enclosure” of some verandahs. 	CAUTIONS	<ul style="list-style-type: none"> Complicated to write into bylaw, may require significant rework of several bylaws. Verandah space still adds to massing. Unclear whether this would fit under age exemptions or global exemptions May provide massing bonus for standard door entrances – could be good or bad if encouraging more entrance space adds to streetscape
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7. Count Atrium Space in Floor Area

Atrium space, while contributing to massing, is not counted under floor area calculations as it has no “floor”

POSITIVES	<ul style="list-style-type: none"> More directly addresses massing impact 	CAUTIONS	<ul style="list-style-type: none"> Would be different from other jurisdictions Penalizes atrium space Would require careful wording of bylaws as to what is considered “atrium” space (i.e. what height would kick in “atrium”
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8. Measurement to inside walls

POSITIVES	<ul style="list-style-type: none"> • Encourage high-R-Value insulation walls for max energy efficiency of buildings • Massing still limited by lot coverage limitations 	CAUTIONS	<ul style="list-style-type: none"> • Massing controls hampered by reduced control over outside walls • May encourage blocky homes • Overall floor area loss under current bylaw fairly minimal (100-200sq feet on average home) • Requires feedback from builder community • Defined point difficult (i.e. “exterior sheathing” does not apply to some building materials) • Care needed to exempt “reasonable thickness”
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Alternative Options:

9. More descriptive wording in bylaws

Bylaws should show intent and be clear in their wording. While bylaw enforcement staff (building or other) will tend to be consistent in their interpretation, making the bylaws more specific and clear can help ensure the intent is achieved.

P POSITIVES	<ul style="list-style-type: none"> • “Gross Floor Area” could be better defined, with exceptions more clearly defined • Would allow for more granular control over massing • Could better manage deck heights, atriums, etc. 	CAUTIONS	<ul style="list-style-type: none"> • Bylaws fairly functional as they are, architects and builders understand the rules as-is • More complexity for builders • Extra work for staff to re-write • Relies more tightly on enforcement to control floor space “grabs” by enclosing “outdoor” space
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10. Exclusion or control of stairs/excavation in side-yard setbacks

POSITIVES	<ul style="list-style-type: none"> • Reduce impact on neighbours • Ensure setbacks truly provide a “buffer” to neighbouring properties • Ensures emergency access along sides of homes • Impact of current bylaw gap needs addressing in some way 	CAUTIONS	<ul style="list-style-type: none"> • Unclear consequences of such a change • Grandfathering of existing stairs needs to be managed (hard to change access point to basements)
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11. Green Space Rules

POSITIVES	<ul style="list-style-type: none"> • Ensure green space in front and back yards is maintained • Improve percentage of “permeable surface” on each lot • Reduce runoff to storm drains 	CAUTIONS	<ul style="list-style-type: none"> • Is it necessary? • Definition of hard surface would need to be carefully considered (i.e. interlocking pavers) • May need filter pool or other guides for runoff • How to recognize trees?
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12. Decks

POSITIVES	<ul style="list-style-type: none"> • Decks as floor areas unique to Oak Bay • High decks do have impact on neighbours • Encouraging lower decks seen as positive 	CAUTIONS	<ul style="list-style-type: none"> • Decks as floor areas unique to Oak Bay • Decks as landscaping vs. structure needs definition (affects floor area and site coverage)
<p>Notes:</p> <ul style="list-style-type: none"> • Idea: Use building code as guide for landscape vs. structure: 2' or lower drop does not require railing, treated as landscape. 			

13. Heritage as bonus

POSITIVES	<ul style="list-style-type: none"> • "Carrot" to heritage get registrations • Improve heritage register 	CAUTIONS	<ul style="list-style-type: none"> • Cannot vary density, so must vary bylaw (i.e. calculation) •
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14. Increased Overhangs

POSIT	<ul style="list-style-type: none"> • Better design and building practices 	CAUTI	<ul style="list-style-type: none"> • Setback intrusion issues
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7. Bylaw Comparison Summary by Jurisdiction

Floor Area Regulation Comparison					
Jurisdiction	# of SF Zones	FSR	Lot Coverage	Gross Floor Area	Form Controls / Notes
Victoria	4	N/A	25%	N/A (control by LC)	
			40%	GFA Max by lot size, small lots > GFA	Max reduced by 1st/2nd FA and form (1.5 vs 2 story)
Saanich	20	Varies 0.5 - 1	40%	FSR or Set Max GFA by zone, varied by large non-conforming lots	GFA reduced by % non-basement (<5' below grade)
Esquimalt	5	0.35:1	30%		
Langford	+/- 18	N/A	10% - 50%		Envelope controls (setbacks and height)
Cohwood	8	0.4:1	35% (25% duplex)		
View Royal	4	40% (or set max)	35% (40% single story)		
Metchosin	4 (mostly acreage)	N/A	20% or max 186m ² on lots <930m ²		
Central Saanich	5	0.4:1 - 0.5:1 varies by lot size	2-5% rural, 20-40% urban, varies by lot size		
North Saanich	3	0.25-0.3:1	15-25%	Max Floor area by zone	
Sidney	7 (some multi-unit)		Varies		Lot coverage decreases as height increases
Sooke	5	N/A	25-45%		Envelope controls (setbacks and height)
CVRD	6		30%, 35% Impervious		Envelope controls (setbacks and height)
RD of Nanaimo	4	N/A	35%		Envelope controls (setbacks and height)
Parksville	2 (reg & small lot)	Reg: 0.5:1 Small: 0.50-0.55:1	Reg: 33% Small: 33%-50%		
Qualicum Beach	14 (3 SFD only)	N/A	35%		Envelope controls (setbacks and height)
West Vancouver	10	0.35:1 if > 677m ² 237m ² if 474m ² -677m ² 0.5:1 if < 474m ²	30% for large lots, 40% for lots under 7000 sq ft		Note: Sliding scale allows higher ratio on smaller lots
Vancouver	10	Wide variety, up to 0.75:1 with specific bonuses	40% (some special zones 35%)		0.2:1 FSR + 130m ² per floor (1.8m above grade); reward floors < 6' above grade; neighbourhood character requirements, lots of exemptions and bonuses; NOTE: acts under Vancouver Charter, not Municipal Act, so has more powers to regulate
North Vancouver	3	Lesser of: 0.5:1 or 0.3:1 plus 92.9m ²	30% for principle building, 40% total		sliding scale for slightly bigger houses on small lots and slightly smaller houses on big lots; exemptions for exterior cladding systems so people are not penalized for using stone or other thick materials
Richmond	10 + 10 w/ suites	SF: 0.55 on first 464m ² , 0.3:1 on remainder	45% for all buildings		
		SF: 0.4 on first 464m ² , 0.3:1 on remainder unless ste (then 0.55:1)			Incentive to build suites in suite zoning
Delta	11	Large: 0.3:1 + 93m ² Med: 0.25:1 + 125m ²	45% (infill housing zones 41%)		Equates to ~0.4:1 on 1000m ² lot, "lesser of" provisions to handle odd lot sizes Equates to ~0.45:1 on 600m ² lot, "lesser of" provisions to handle odd lot sizes

8. History of Floor Area Regulations

Although extensively amended, the general form of the modern Zoning Bylaw dates back to 1986.

Timeline:	Description	Formulae
1986-1990	Max allowable FAR for single family property was 0.5 : 1. Entire basement counted unless ceiling height < 1.2m	0.5 : 1 Ratio, Fixed. Everything included.
1990-1993	“Monster House” term arrives, FAR reduced to 0.4 : 1. Basements with floors >1m below grade excluded from calculations. “Hard” 1m measure causes some fairness issues as a home 1.1m below grade allowed much more floor area than one 0.9m below grade.	0.4 : 1 ratio, fixed. Basements w/ floors 1m below grade excluded
1993-2007	New sliding formula for measuring basement floor area of older homes (pre-1993) created, formula based on depth and size. This determined the amount of floor area > 0.4:1 allowed. Still in place for RS-1, RS-2, and RS-3 lots	0.4 : 1 ratio, fixed, with addition floor area calculated: (Basement Floor Area/2)*Depth of Basement. i.e. 100m ² basement 0.9m below grade = 100/2*0.9= 45m ² additional Floor Area
2007-Current	With older homes containing low basements still being demolished, a committee was struck to address issue. New bylaw resulted in move from Floor-Area-Ratio to a fixed house size based on lot type (RS-4/RS-5 Residential lots). Pre-1993 age recognition removed (universal rules for all homes)	RS4: Lot <= 1100m ² = 420m ² / 300m ² above .8m below grade RS-4: Lot > 1100m ² = 480m ² / 360m ² above .8m below grade RS-5: Lot <= 750m ² = 360m ² / 240m ² above .8m below grade RS-5: Lot > 750m ² = 420m ² / 300m ² above .8m below grade

APPENDIX 1: RS-4 / RS-5 DUPLEX BYLAW REGULATIONS

In anticipation of applications for development of two-family housing (“duplexes”) in current RS-4 and RS-5 zones, the Floor Area Review (FAR) Committee has agreed to provide some “best practices” that can guide Council both in specific applications and perhaps even in the OCP development. This appendix does not form part of the formal recommendations of the Floor Area Review Committee.

In looking at duplex regulations in other jurisdictions, the OCPs of those communities directly addressed the intent and general guidelines for location, acceptable lots, and design of duplexes, with a range or granularity. In general, the allowed massing, setbacks, etc. in duplex zones are equal to single-family residences. Duplex zoning, particularly as it is “injected” into fully developed streets with single-family homes, needs to be carefully controlled and match OCP intentions.

In the bylaw regulations, it is standard practice to clearly articulate specific controls for duplex zoning. The members of the FAR Committee would recommend that any future zoning bylaw regulations contain most or all of the attributes listed below – NOTE THAT THE NUMBERS HERE ARE ONLY GENERAL SUGGESTIONS, AND THAT FINAL DETERMINATION OF APPROPRIATE ZONING GUIDELINES SHOULD GO THROUGH A THOROUGH DUPLEX ZONE DEVELOPMENT PROCESS.

- **Process:** The committee recommends two-family homes require a rezoning or other process described as in bylaw to be subject to a rezoning and/or Development Permit Area process. This would allow review by the Advisory Design Panel or other planning advisory panel – a process that can happen at staff level that should result in an approved design scheme prior to the rezoning request reaching Council. This process is considered important, as duplexes can be difficult to design in a way that integrates with the surrounding housing. Importantly, the rezoning process also allows for community input.
- **Minimum Lot Size:** the committee would recommend a minimum duplex lot size for both RS-4 and RS-5 lots. The exact minimum lot size would be determined in the careful process of bylaw creation, but would be recommended to be larger than the minimum lot size for each zone. Most jurisdictions require a lot 15%-35% larger than a “normal” lot to allow for adequate floor area, green space, parking, etc. An example of possible lot size minimums in Oak Bay:
 - a. RS-5: 670m² / 7,200 sq. feet (+20%)
 - b. RS-4: 1140m² / 12,250 sq. feet (+20%)
- **Minimum Lot width:** The committee recommends a minimum lot width (“frontage”) larger than the minimum width in the existing RS-4 and RS-5 zones, with some possible exemptions for specific lot configurations. This is consistent with other jurisdictions. The extra width allows for better design and reduced impact of garage/driveway doubling. RS-5 lots currently have a minimum lot width of 50’, and RS-4 lots a minimum lot width of 70’ (Bylaw 3531, Schedule A). Example lot width minimums could be:
 - a. RS-5 Minimum Lot Widths:
 - i. 18.3m / 60’-70’ for normal interior lots

- ii. 15.24m / 50'-60' for corner lots
- iii. 15.25m / 50'-60' for interior lots with lane access.
- b. RS-4 Minimum Lot Widths:
 - i. 24.4m / 80'-90' for normal interior lots
 - ii. 21.34m / 70'-80' for corner lots
 - iii. 21.34m / 70'-80' for interior lots with lane access

- **Maximum Lot Coverage:** Same as single family in existing RS-4 or RS-5 zone
- **Maximum Floor Area:** same as single family
- **Maximum Height, Occupiable Height, Building Height:** same as single family
- **Setbacks:** Same as single family, see "Design Comments" below for more detailed consideration

- **Parking:** Committee recommendations are that Duplexes require parking for each unit – most jurisdictions require two parking spots per unit, Victoria only one. The Committee noted that inadequate parking can have significant direct impact on neighbours, and reduction in required parking could be seen a negative by neighbours. The committee recommends that the same exemptions for garage square footage be applied to the whole of a duplex (i.e. same as single-family dwelling on the same lot).

- **Expansion or Secondary Suites:** It should be noted that Duplexes cannot house secondary suites, as this is contrary to building code.

- **Design Comments:** The Committee noted that duplexes can integrate very well with established neighbourhoods, but in addition to ensuring adequate "space" defined in bylaw, success requires careful design and consideration of the neighbouring properties. Design guidelines should be developed to inform developers and future advisory panels. Some general comments were agreed upon as high-level guidelines to help designers, developers, design panels, and Councils determine appropriate proposals. These include:
 - a. Look like a single family dwelling
 - b. Side/side duplexes were generally preferred, some upper/lower or front/back designs can work well on specific lot configurations
 - c. Garages should not dominate the front of the house
 - d. Non-symmetrical design is encouraged, recognizing that symmetric design can be appropriate on the right property.
 - e. Buildings should not overlook or intrude upon neighbour's rear yards
 - f. Glazing (windows) should minimize loss of privacy to neighbours.

Table of Duplex Comparative Values

	Saanich	Esquimalt	Victoria	Oak Bay (example)
Lot Size	130% of min. lot size of adjacent lots or 750m ²	668m ²	555m ² min	RS-5: 670m ² RS4: 1140m ²
Lot Coverage	30%	30% all buildings (accessory blgs < 10%)	40%	30%-32% all buildings (current bylaw)
Lot Width	Greater of 20m or 1.3x the minimum width of the largest adjacent lot zone	Min 18.3m (front)	15m minimum	RS-5: >18.5m (consider ~16m for corner/lane lots) RS-4: 24.5m (consider ~22m for corner/lane)
FAR:	.35 to 1 .5 to 1 max gross FA Garage exempt: 75m ²	>800m ² = .35 to 1 <800m ² = .4 to 1	0.5 to 1 (280m ² first and second floors, 380m ² all floors)	Same floor area as RS-5 and RS-4 lots
Setbacks	7.5m front 10.5m rear	7.5m front / 7.5m rear / 4.5m sides combined	Lesser of 7.5m or neighbours	7.62m / contextual (same as current zones)
Heights	7.5m (3.75m accessory) 6.5m for flat roofs	7.3m (3.6m accessory)	7.6m (1½ storey w/ basement, 2 storeys without)	Same as current zones
Parking	2 spaces per dwelling unit	2 spaces per dwelling unit	2 car total, spots farther from road than front face of building	1.5 - 2 spaces per dwelling unit
Zoning Process	Rezoning process	No new zoning, just redevelop existing duplex zones		Rezoning process / Development Permit Area w/ design review
Notes:	Corner lots given preference	Home occupation use only		Design or Planning Panel process to be implemented

Contributors

We would like to recognize all those who contributed so much time and expertise to the process, including:

- All who attended one or more of the public input sessions
- All who attended the committee discussions
- The many committed Oak Bay Staff who contributed their time and expertise

The Floor Area Committee was struck by motion of Council to include 3 members at large, two councillors, and the head of Building and Planning. Additional members attended regularly ex-officio and contributed greatly to the content of the report. Together, the committee members contributed over two hundred person-hours to researching and developing this report.

Committee Members:

- Nigel Banks
- Pam Copely
- John Graham
- Kevin Murdoch
- Tim Taddy
- Roy Thomassen

Ex-Officio attendees:

- Hope Burns
- Rus Collins
- Roger Tinney
- Eric Zhelka

A special thanks to Roy Thomassen, Oak Bay's Director of Building and Planning, for his many long hours, late nights, and detailed research to ensure information was accurate and relevant.

Photos provided by K. Murdoch.



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